

Niagara County Industrial Development Agency

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

MEETING DATE: Wednesday, May 12, 2021
MEETING TIME: 9:00 a.m.
MEETING PLACE: Niagara County Industrial Development Agency
6311 Inducon Corporate Drive, Suite One
Sanborn, NY 14132

1.0 Meeting Called to Order

The regular meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:00 a.m.

2.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jerald I. Wolfgang, 1 st Vice Chairperson	Present
Kevin McCabe, 2 nd Vice Chairperson	Excused
William L. Ross, Secretary	Present
Mary Lynn Candella, Assistant Secretary	Present
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Scott Brydges, Member	Present
Jason Krempa, Member	Present – Left at 9:52 a.m.

3.0 Introductions

Guests Present

Brianne Frawley, DLV Development LLC
Tom Celik, DLV Development LLC
Michael Sinatra, Bogart-Sinatra Development LLC
Eric Bogart, Bogart-Sinatra Development LLC
Salvatore D'Angelo, Niacet Corporation
Dean Hale, Niacet Corporation
Jerry Stadelman, Birch Machine 7920 JMD LLC
Mary Stadleman, Birch Machine, 7920 JMD LLC
Jim Fink, Business First
Mike Scheer, Investigative Post

Staff Present

Susan C. Langdon, Executive Director
Michael S. Dudley, Finance Manager
Caroline Caruso, Accounting Associate
Susan Barone, Project Manager
Julie Lamoreaux, Administrative Assistant
Mark J. Gabriele, Agency Counsel

4.0 Mr. Scott led the Pledge of Allegiance.

5.0 Approval of NCIDA Meeting Minutes

5.1 Meeting Minutes of April 14, 2021

Mr. Onesi motioned to approve the meeting minutes; Mr. Ross seconded the motion. The motion passed.

6.0 Finance & Audit Committee Reports

6.1 Agency Payables

Mr. Ross stated that the monthly payables have been reviewed and found to be in order.

Mr. Ross made a motion to approve the monthly payables; Mr. Ross seconded the motion. The motion passed.

6.2 Budget Variance Report

Mr. Ross stated that the reports have been reviewed and found to be in order.

Mr. Ross made a motion to approve the reports; Mr. Ross seconded the motion. The motion passed.

7.0 Unfinished Business

7.1 Enterprise Lumber & Silo, LLC

Ms. Langdon stated that a public hearing was held on May 3, 2021 at Council Chambers, City Hall. In attendance was a representative from the Mayor's office. There were no comments.

7.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF ENTERPRISE LUMBER & SILO, LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS: AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX

7.1 .1 Final Resolution Enterprise Lumber & Silo, LLC (continued)

EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Wolfgang made a motion to approve the Final Resolution; Ms. Candella seconded the motion.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa			X	
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

7.2 Rubberform Recycled Products, LLC

Ms. Langdon stated that a public hearing was held on May 4, 2021 at the Legislative Chambers, Niagara County Courthouse. In attendance was the City Assessor, City Treasurer and Mr. Bill Robbins from Rubbberform Recycled Products, LLC. There were no comments.

7.2.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF RUBBERFORM RECYCLED PRODUCTS, LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS: AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX

7.2.1 Final Resolution Rubberform Recycled Products, LLC (continued)

EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Ross made a motion to approve the Final Resolution; Mr. Brydges seconded the motion.

The question of the approval of the Resolution as duly put to a vote on roll call, which resulted as follows.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

7.3 8297 Packard Road, LLC

Ms. Langdon stated that a public hearing was held on May 3, 2021 at the Town of Niagara Town Hall. In attendance was Mr. John Shoemaker from Niagara County Real Property Tax Services. There were no comments.

7.3.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF 8297 PACKARD ROAD, LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS; AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A

7.3.1 8297 Packard Road LLC (continued)

MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Wolfgang made a motion to approve the Final Resolution; Mr. Krempa seconded the motion.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

7.4 9745 Rochester Road LLC

Ms. Langdon stated that a public hearing was held on May 4, 2021 at the Royalton Town Hall. There was nobody in attendance, and there were no comments.

7.4.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF 9745 ROCHESTER ROAD LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS: AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

7.4 9745 Rochester Road, LLC (continued)

Mr. Cliffe made a motion to approve the Final Resolution; Mr. Krempa seconded the motion.

The question of the approval of the Resolution was duly put to a vote on a roll call which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa			X	
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 DLV Properties, LLC

Ms. Barone stated that the DLV Properties LLC project site is 1 acre of vacant property. On which the company will construct a 13,740 square foot mixed-use building consisting of 9 market-rate apartment units and two commercial spaces. The project is expected to bring 27 new jobs to the area, and give public access to the Niagara River waterfront. Ms. Brianne Frawley and Mr. Tom Celik were present to answer any questions.

Ms. Frawley informed the Board that the first floor will consist of two retail spaces along with three residential market-rate-apartment units. The second floor will consist of 6 residential market-rate apartment units.

Mr. Gabriele added that this property is a continuation of Rock One Development LLC approved by this Board approximately five years ago. This new project was part of the next phase that was anticipated at that time. The first phase of the project has been completed.

8.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF DLV PROPERTIES, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF DLV PROPERTIES, LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Krempa made a motion to approve the Preliminary Resolution; Mr. Brydges seconded the motion.

The question of approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing Date

Mr. Cliffe motioned to authorize the Public Hearing; Mr. Brydges seconded the motion. The Motion passed.

8.2 Bogart-Sinatra Development, LLC

Ms. Barone stated that the principals of Bogart-Sinatra Development LLC are Eric Bogart, and Michael Sinatra. They have purchased a vacant parcel located at 428 Zimmerman Street in North Tonawanda and are planning to construct multi-tenant buildings comprised of 22 bays, totaling 22,000 square feet. The bays will be leased to various third-party businesses with contractors as the target sector. This project is projected to bring 25 new jobs to the area. Mr. Sinatra, and Mr. Bogart were present to answer any questions.

Eric Bogart informed the Board that this project is going to be warehouse space with 22 contractor bays. All the spaces will have a 14x14 garage door, floor drains, heat, hot water and cold water. The leases will be anywhere from one year to three year Term, depending on what the tenant is looking for.

Susan Langdon added that there is a need for this kind of space in the area because there is not a lot of clean spec space for people who want to start their own business.

8.2.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF BOGART-SINATRA DEVELOPMENT, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF BOGART-SINATRA DEVELOPMENT, LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Ross made a motion to approve the Preliminary Resolution; Mr. Krempa seconded the motion.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.2.2 Authorize Public Hearing Date

Mr. Wolfgang motioned to authorize the Public Hearing; Mr. Krempa seconded the motion. The motion passed.

8.3 Niacet Corporation

Ms. Langdon stated that Niacet is a leading producer of organic salts, serving the pharmaceutical, food, feed and technical industries. The company currently has two long standing, fully automated manufacturing sites in Niagara Falls, and in Tiel, The Netherlands. Niacet wishes to construct a new 3,500 square foot building at the south end of their property in Niagara Falls to install new chemical processing equipment to produce Anhydrous Hydrogen Chloride for use in semiconductor, pharmaceutical and technical industries.

The project is going to result in the retention of 91 high paying jobs, and the creation of eight new jobs. Mr. Salvatore D'Angelo and Mr. Hale were present to answer any questions.

Mr. D'Angelo informed the Board that they are looking to expand their anhydrous hydrogen chloride production. Hydrogen Chloride is used as a semiconductor, which is a growing industry. The company is looking to retain its 91 positions, and add an additional eight positions to its workforce. Not only does Niacet have locations in Niagara Falls, and the Netherlands, they also have a location in Columbia. Niacet is a growing company and the corporate office is in WNY.

Mr. Scott questioned the environmental issues the company has on the surrounding area. Mr. D'Angelo explained that Niacet follows all OSHA guidelines, and they are also regulated by the Department of Homeland Security. They follow a strict Risk Management Process Safety Management Plan and they have not had a release of any chemical in the past 20 years. All the chemicals are transported safely in and out through rail using CSX.

8.3.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF NIACET CORPORATION WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF NIACET CORPORATION FOR ITSELF OR ON BEHALF OF AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO

8.3 Niacet Corporation Preliminary Resolution (*continued*)

THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (v) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Wolfgang made a motion approve the Preliminary Resolution; Mr. Ross seconded the motion.

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.3.2 Authorize Public Hearing Date

Mr. Krempa motioned to authorize the Public Hearing; Mr. Brydges seconded the motion. The motion passed.

8.4 7920 JMD LLC

Ms. Barone stated that 7920 JMD LLC is the holding company for Birch Machine & Tool, a small, local family-owned business. Currently, they operate in a leased space in Middleport. Since they have outgrown their space, they would like to construct a new 7,450 square foot building at 7920 Rochester Road in Royalton for a machine shop and manufacturing. Mr. Jerry Stadleman and Ms. Mary Stadleman were present from Birch Machine to answer any questions.

Mr. Stadleman and Ms. Stadleman stated that this is their fourth location. This new location is a bigger shop for the employees with 6,000 square foot of space. The company plans to hire 3 more employees, and wants to purchase more machines for business growth.

8.4.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF 7920 JMD, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF 7920 JMD, LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Brydges made a motion to approve the Preliminary Resolution; Ms. Candella seconded the motion.

The question of the approval of the Resolution was duly put to a vote on a roll call, which resulted as follows.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.4.2 Authorize Public Hearing Date

Mr. Krempa motioned to authorize the Public Hearing; Mr. Brydges seconded the motion. The motion passed.

8.5 Rupal Corporation

Mr. Gabriele stated that Rupal Corporation is a hotel in downtown Niagara Falls that this Board approved approximately a couple years ago. Rupal is completing its renovations and they are requesting for consent to the refinance of the existing mortgage. Rupal has not been able to pay its most recent pilot payment. However, in the negotiations and discussions with the company and their counsel, they are working on a refinance of their various properties. As a condition of our approval and consent, at the time of closing, the taxing jurisdictions will be made whole. Under those conditions, Rupal is asking for a

consent to the refinance.

8.5.1 Consent to Refinance

RESOLUTION AUTHORIZING THE CONSENT TO THE EXECUTION AND DELIVERY OF A MORTGAGE, MORTGAGE TAX BENEFIT AND OTHER DOCUMENTS WITH REGARD TO THE RUPAL CORPORATION PROJECT.

Mr. Wolfgang made a motion to approve the consent to refinance; Mr. Brydges seconded the motion.

The question of the approval of the Consent to Refinance was duly put to a vote on a roll call, which resulted as follows.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa	X			
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

8.6 CJP Industries, LLC

Mr. Gabriele stated that CJP Industries, LLC also known as Jacobs Ladder is looking to refinance their existing mortgage. Staff received this request late so we request the Board to make a motion to add as a late item to the agenda.

Mr. Cliffe made a motion to add the Consent to Refinance as a late item; Mr. Ross seconded. The motion was passed.

8.6 CJP Industries, LLC – Consent to Refinance

Mr. Gabriele stated that CJP Industries, LLC, also known as Jacobs Ladder, is looking to refinance and modify their terms of the mortgage with M&T Bank. They are requesting that the agency consent to their refinance.

8.6.1 Consent to Refinance

RESOLUTION AUTHORIZING THE CONSENT TO THE EXECUTION AND DELIVERY OF A MORTGAGE WITH MORTGAGE TAX BENEFIT AND OTHER DOCUMENTS WITH REGARD TO THE CJP INDUSTRIES, LLC PROJECT.

Mr. Ross made a motion to approve the consent to refinance; Mr. Brydges seconded the motion.

The question of the approval of the Consent to Refinance was duly put to a vote on a roll call, which resulted as follows.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald I Wolfgang	X			
Kevin McCabe				X
William L. Ross	X			
Mary Lynn Candella	X			
Robert B. Cliffe	X			
Scott Brydges	X			
Clifford Scott	X			
Jason Krempa				X
Mark A. Onesi	X			

The Resolution was thereupon duly adopted.

9.0 Agency Counsel

There were no comments from agency counsel at this time.

10.0 Information Items

In response to an inquiry from Mr. Wolfgang, Mr. Gabriele stated that the Hotel Niagara Inducement was not renewed. It is expected the project will proceed in the future.

Ms. Langdon stated that she will speak with Empire State Development to get an update on any progress.

11.0 Any Other Matters the Board Wishes to Discuss

12.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: June 9, 2021

TIME: ** 9:00 a.m. **

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

Mr. Onesi made a motioned adjourn; Mr. Wolfgang seconded the motion. The meeting adjourned at 9:55 a.m.

Respectfully submitted:

Reviewed by:

Approved by:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary